

In the Matter of)
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OPTIONS FOR THE 470-512 MHz SPECTRUM) PS Docket 13-42

A Beep, LLC (A Beep) an Illinois Limited Liability Company hereby submits the following comments in response to the Commission's Public Notice, DA 13-187, in the above-captioned proceeding concerning implementation of Section 6103 of the Middle Class Tax Relief and Job Creation Act of 2012 (the "Act") as it applies to the 470-512 MHz band (the T-Band).

A Beep operates various systems with licensed frequencies in both the T-Band and in 450-470MHz in the Chicago area. Our company has made a significant financial investment not only in acquiring the licensed frequencies but also the equipment, towers and leases necessary to serve the public.

We provide service to a wide variety of users of radio equipment. These users find that dispatch radio systems serve them much better than any broadband telephone service available today. We operate one of the largest wide-area digital networks in the nation using this UHF spectrum. There are not frequencies available in Chicago in the 450-470 MHz spectrum to replace the licensed spectrum in use.

Logic would say that since Section 6103 does not require non-public safety users to relocate to other spectrum that the Commission would leave non-

public safety use of T-Band as-is. However we recognize that the value of a contiguous block of T-Band spectrum may be necessary nationwide for a successful auction. We therefore realize that moving all non-public safety users to one portion of the band makes sense. This would allow for the move to be accommodated without complete replacement of all radio equipment in service. The move however still could be very costly at the infrastructure side, as new antenna combining equipment may be needed to accommodate the change in frequency.

If the Commission were to decide that a move to a portion of the band was the best choice nationwide we believe that this could create additional new opportunities for use of this spectrum outside of the current T-Band areas. This T-band segment could also be auctioned for narrowband use throughout the rest of the nation. This could help alleviate frequency congestion in the rest of the nation.

Our Company made a significant investment in our systems as we narrow banded everything long before the waiver of the January 1, 2013 deadline was granted. It again would be logical that if the commission consolidates non-public safety licensees into a single segment of the T-band that it would also require all licensees to be narrowband compliant. I would even offer that this new spectrum allocation be very narrow with 6.25 KHz emissions or 6.25 KHz equivalent with two voice paths within a 12.5 KHz carrier. These additional requirements would allow for the maximum use of this valuable spectrum as it could accommodate many more users.

In regards to the processing of applications that were properly filed before the freeze was imposed we believe that these applications should be processed as soon as possible. The freeze itself appears very unfair to non-public safety users, as they were not addressed in Section 6103. We understand the Commission's desire not to alter the spectrum landscape; however here in Chicago there are very few if any new opportunities for unused T-Band frequencies. The freeze should be lifted completely as the needs for licensees mainly consist of modifying sites and moving already licensed frequencies to new sites to accommodate system-loading needs.

In conclusion, we respectfully request that Commission process the applications on file, rescind the application freeze of the T-Band, and consider our comments and those of the other T-Band users.

Frank B. Anderson

Partner,

A Beep, LLC